

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 DERICK JEROME LEWIS,  
12 Plaintiff,  
13 v.  
14 AT&T, INC., et al.,  
15 Defendants.

16 No. 2:20-cv-461-KJM-EFB PS

ORDER

17 On September 25, 2020, the magistrate judge filed findings and recommendations, which  
18 were served on the parties and which contained notice that any objections to the findings and  
19 recommendations were to be filed within fourteen days. No objections were filed.

20 The court presumes that any findings of fact are correct. *See Orand v. United States*,  
21 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed  
22 de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law  
23 by the magistrate judge are reviewed de novo by both the district court and [the appellate] court  
24 . . . ."). Having reviewed the file, the court finds the findings and recommendations to be  
25 supported by the record and by the proper analysis.

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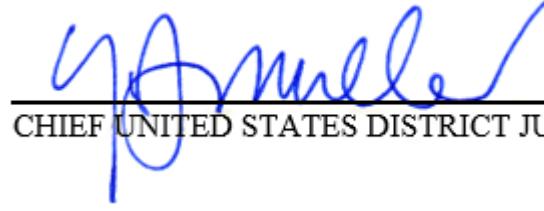
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1 Accordingly, IT IS ORDERED that:

2 1. The Findings and Recommendations filed September 25, 2020, are ADOPTED;  
3 2. Plaintiff's first amended complaint is dismissed without leave to amend; and  
4 3. The Clerk is directed to close the case.

5 DATED: November 5, 2020.

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7 CHIEF UNITED STATES DISTRICT JUDGE  
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